

(g) Reviews by Inspector General**(1) In general**

The Inspector General of the Administration shall conduct a review of—

- (A) the extent to which recipients under the FAST program are measuring the performance of the activities being conducted and the results of such measurements; and
- (B) the overall management and effectiveness of the FAST program.

(2) Report

During the first quarter of fiscal year 2004, the Inspector General of the Administration shall submit a report to the Committee on Small Business of the Senate and the Committee on Science and the Committee on Small Business of the House of Representatives on the review conducted under paragraph (1).

(h) Program levels**(1) In general**

There is authorized to be appropriated to carry out the FAST program, including Mentoring Networks, under this section and section 657e of this title, \$10,000,000 for each of fiscal years 2001 through 2005.

(2) Mentoring database

Of the total amount made available under paragraph (1) for fiscal years 2001 through 2005, a reasonable amount, not to exceed a total of \$500,000, may be used by the Administration to carry out section 657e(d) of this title.

(i) Termination

The authority to carry out the FAST program under this section shall terminate on September 30, 2005.

(Pub. L. 85-536, §2[34], as added Pub. L. 106-554, §1(a)(9) [title I, §111(b)(2)], Dec. 21, 2000, 114 Stat. 2763, 2763A-674; amended Pub. L. 107-50, §8, Oct. 15, 2001, 115 Stat. 265.)

PRIOR PROVISIONS

A prior section 2[34] of Pub. L. 85-536 was renumbered section 2[37] and is set out as a note under section 631 of this title.

AMENDMENTS

2001—Subsec. (c)(2)(B)(vi). Pub. L. 107-50, §8(a), added cl. (vi).

Subsec. (c)(4). Pub. L. 107-50, §8(b), inserted at end “The Administrator shall promulgate regulations establishing standards for the consideration of proposals under paragraph (2), including standards regarding each of the considerations identified in paragraph (2)(B).”

FINDINGS

Pub. L. 106-554, §1(a)(9) [title I, §111(a)], Dec. 21, 2000, 114 Stat. 2763, 2763A-674, provided that: “Congress finds that—

- “(1) programs to foster economic development among small high-technology firms vary widely among the States;
- “(2) States that do not aggressively support the development of small high-technology firms, including participation by small business concerns in the SBIR program, are at a competitive disadvantage in establishing a business climate that is conducive to technology development; and
- “(3) building stronger national, State, and local support for science and technology research in these

disadvantaged States will expand economic opportunities in the United States, create jobs, and increase the competitiveness of the United States in the world market.”

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 657e of this title.

§ 657e. Mentoring Networks**(a) Findings**

Congress finds that—

- (1) the SBIR and STTR programs create jobs, increase capacity for technological innovation, and boost international competitiveness;
- (2) increasing the quantity of applications from all States to the SBIR and STTR programs would enhance competition for such awards and the quality of the completed projects; and
- (3) mentoring is a natural complement to the FAST program of reaching out to new companies regarding the SBIR and STTR programs as an effective and low-cost way to improve the likelihood that such companies will succeed in such programs in developing and commercializing their research.

(b) Authorization for Mentoring Networks

The recipient of an award or participant in a cooperative agreement under section 657d of this title may use a reasonable amount of such assistance for the establishment of a Mentoring Network under this section.

(c) Criteria for Mentoring Networks

A Mentoring Network established using assistance under section 657d of this title shall—

- (1) provide business advice and counseling to high technology small business concerns located in the State or region served by the Mentoring Network and identified under section 657d(c)(1)(E)(ii) of this title as potential candidates for the SBIR or STTR programs;
- (2) identify volunteer mentors who—
 - (A) are persons associated with a small business concern that has successfully completed one or more SBIR or STTR funding agreements; and
 - (B) have agreed to guide small business concerns through all stages of the SBIR or STTR program process, including providing assistance relating to—
 - (i) proposal writing;
 - (ii) marketing;
 - (iii) Government accounting;
 - (iv) Government audits;
 - (v) project facilities and equipment;
 - (vi) human resources;
 - (vii) third phase partners;
 - (viii) commercialization;
 - (ix) venture capital networking; and
 - (x) other matters relevant to the SBIR and STTR programs;
- (3) have experience working with small business concerns participating in the SBIR and STTR programs;
- (4) contribute information to the national database referred to in subsection (d) of this section; and
- (5) agree to reimburse volunteer mentors for out-of-pocket expenses related to service as a mentor under this section.

(d) Mentoring database

The Administrator shall—

(1) include in the database required by section 638(k)(1) of this title, in cooperation with the SBIR, STTR, and FAST programs, information on Mentoring Networks and mentors participating under this section, including a description of their areas of expertise;

(2) work cooperatively with Mentoring Networks to maintain and update the database;

(3) take such action as may be necessary to aggressively promote Mentoring Networks under this section; and

(4) fulfill the requirements of this subsection either directly or by contract.

(Pub. L. 85-536, §2[35], as added Pub. L. 106-554, §1(a)(9) [title I, §112], Dec. 21, 2000, 114 Stat. 2763, 2763A-680.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 638, 657d of this title.

§ 657f. Procurement program for small business concerns owned and controlled by service-disabled veterans

(a) Sole source contracts

In accordance with this section, a contracting officer may award a sole source contract to any small business concern owned and controlled by service-disabled veterans if—

(1) such concern is determined to be a responsible contractor with respect to performance of such contract opportunity and the contracting officer does not have a reasonable expectation that 2 or more small business concerns owned and controlled by service-disabled veterans will submit offers for the contracting opportunity;

(2) the anticipated award price of the contract (including options) will not exceed—

(A) \$5,000,000, in the case of a contract opportunity assigned a standard industrial classification code for manufacturing; or

(B) \$3,000,000, in the case of any other contract opportunity; and

(3) in the estimation of the contracting officer, the contract award can be made at a fair and reasonable price.

(b) Restricted competition

In accordance with this section, a contracting officer may award contracts on the basis of competition restricted to small business concerns owned and controlled by service-disabled veterans if the contracting officer has a reasonable expectation that not less than 2 small business concerns owned and controlled by service-disabled veterans will submit offers and that the award can be made at a fair market price.

(c) Relationship to other contracting preferences

A procurement may not be made from a source on the basis of a preference provided under subsection (a) or (b) of this section if the procurement would otherwise be made from a different source under section 4124 or 4125 of title 18 or the Javits-Wagner-O'Day Act (41 U.S.C. 46 et seq.).

(d) Enforcement; penalties

Rules similar to the rules of paragraphs (5) and (6) of section 637(m) of this title shall apply for purposes of this section.

(e) Contracting officer

For purposes of this section, the term “contracting officer” has the meaning given such term in section 423(f)(5) of title 41.

(Pub. L. 85-536, §2[36], as added Pub. L. 108-183, title III, §308, Dec. 16, 2003, 117 Stat. 2662.)

REFERENCES IN TEXT

The Javits-Wagner-O'Day Act, referred to in subsec. (c), is act June 25, 1938, ch. 697, 52 Stat. 1196, as amended, which is classified to sections 46 to 48c of Title 41, Public Contracts. For complete classification of this Act to the Code, see Short Title note set out under section 46 of Title 41 and Tables.

PRIOR PROVISIONS

A prior section 2[36] of Pub. L. 85-536 was renumbered section 2[37] and is set out as a note under section 631 of this title.

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